

AN ACT

MAKING APPROPRIATIONS FOR TOBACCO USE CESSATION PROGRAMS AND FOR DIABETES PREVENTION, EDUCATION AND OUTREACH FROM THE TOBACCO SETTLEMENT PROGRAM FUND.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. APPROPRIATIONS--LIMITATIONS.--

A. If the revenue to the tobacco settlement program fund exceeds the appropriations made from the fund in the General Appropriation Act of 2008, the balance of the fund shall be appropriated as provided in this section.

B. Four million dollars (\$4,000,000) of the balance in the tobacco settlement program fund is appropriated in the following amounts to the following entities for the following purposes for expenditure in fiscal year 2009 in accordance with the limitations in Subsection C of this section:

(1) two million dollars (\$2,000,000) to the human services department for medicaid program expenditures;

(2) one million two hundred fifty thousand dollars (\$1,250,000) to the department of health for smoking cessation and prevention programs;

(3) five hundred thousand dollars (\$500,000) to the department of health for diabetes prevention and control services; and

(4) two hundred fifty thousand dollars (\$250,000) to the Indian affairs department for tobacco cessation and prevention programs for Native American communities throughout the state.

C. If the balance in the fund is insufficient to meet the appropriations made in Subsection B of this section, the appropriations shall be reduced as provided in Section 6-4-9 NMSA 1978.

D. Any unexpended or unencumbered balance remaining at the end of fiscal year 2009 shall revert to the tobacco settlement program fund. _____